

pic

C.F. 71

1935

Department of Law Revd.

OFFICE Bd gles

STATION Madras

his No. 4457

B634

Dated 21. 11. 35

Pages in the file

(SUBJECT.)

Relinquishment. Land -
Railway (South Kanara)
Mangalore Taluk - Atavar
village T.S Nos 128-B and 129-A -
Sale orders passed



Ref. C. No. A6-4359--33

RP 92

B634

South Kanara Collector's Office,
Camp:Horican; dated 22nd January 1935.

From

E. M. Gawne, Esq, I.C.S.,
Collector of South Kanara.

To

The Secretary to the Board,
Land Revenue & Settlement,
M a d r a s.

S i r,

Assignment--Land--Mangalore Taluk-- Railway Poramboke T. S.
No. 128/B (R.S.No. 285/B)--9801 sq. feet--Railway assessed --
Bagayat--T. S. No. 129/A-- (R. S. No. 286/A)--7623 sq. feet--
disposal--sanction--solicited.

The above plots are included in the 13.425 acres of land acquired by the Railway Co. for the Bunder siding at Mangalore and subsequently relinquished by the Co. in 1908 as land for which the Co. was not likely to have any further use either then or in the future. The relinquishment was accepted by Government in their Memorandum No. 322 R. M./O, dated 16th October 1908. The original owners of these plots were Attavar Rama Rao and Rojina Sobina Rosario Bai respectively and they were examined whether they were willing to have the plots on payment of the original cost of acquisition. They were not willing to have the plots back at that price, but were, however, willing to have them back at $\frac{1}{2}$ and $\frac{1}{6}$ th respectively of their original cost of acquisition on the ground that the lands had deteriorated owing to the digging of pits by the Railway Administration. As the lands were situated within half a mile from the Mangalore Railway station, they were ordered to be entered in the Prohibitive Order Book and reserved as Government waste. They were also ordered

to be leased out by auction for a period of five years subject to the condition that no building should be built upon them. This was all more than twenty years ago.

2. Attavar Pama Rao (now deceased) was the lessee of the plot till 1.7.1914. But in view of the situation of the plots within half a mile from the Mangalore Railway station, the Railway Administration was consulted in 1914 as to whether there was any objection to their permanent assignment. The Agent of the Railway Co. in his letter A. C. 942/22--12, dated 29th Aug. 1914 objected to the assignment of these lands on the ground that they might be required in connection with the extension of the Railway line from Mangalore to Arsikere. The leases were accordingly renewed in the name of the original lessee for one year from 1.7.1914, for another year from 1.7.1915 and again for another year from 1.7.16 subject to the same conditions. During the currency of the first lease (1909-14) a house was constructed in S. No. 285/B contrary to the conditions of the lease. Owing to the existence of the buildings -- on these and on some other Railway relinquished lands, the Railway Co. was addressed in 1918 whether it had any objection to the permanent assignment of these plots. As it had no objection the lessee was asked whether he was willing to have the plots on payment of site value at Rs. 2,000/- an acre and ground rent at Rs. 100/-^{an acre.} He was not willing to pay at that rate. But he was willing to surrender the lands in favour of his tenant one Mundappa who had evidently built the house. The Tahsildar was accordingly asked whether the tenant Mundappa was willing to take them up on payment of site value and ground rent at the above rates. That took place subsequently is not known. Searches in the Mazur, Divisional and taluk offices have brought nothing to light. The tenant Mundappa continued to live on the plot and he applied for the plots in 1922 on payment of estimated market value.

3. The plots contain the following improvements:-

		<u>Value</u>	<u>Age.</u>
T. S. No. 128/B Railway Poramboke 9801 sq. ft.	A well, a tiled house on mud walls, and bam- boo rafters. A por- tion of the house lies in T.S.No. 129/A Mango, jack and other trees.	Rs.30 " 200 " .97 4 6	 20 years.
T. S. No. 129/A Garden 7623 sq. ft.	Portion of the house in T.S. No. 128/B A tiled shed Mango, cashew and other junglewood trees.	Value men- tioned above " 50 0 0 " 8 13 0	 20 years.

Enquiry shows that Mundappa was in occupation of the plots from 1914 as a sub-tenant under Rama Rao and that he effected these improvements

4. The plots are within the town limits of Mangalore and contain buildings. But as is seen in para 2 the land had no house on it originally and was just dry agricultural land. In the subsequent correspondence S. No. 285/B has been reported as fit for use as a building site and the other plot as a portion of field which can be rendered fit for paddy cultivation. But as they were originally agricultural lands, they have to be offered to their original owners at cost price minus 15% allowed for compulsory acquisition. The original owners when asked in 1907 stated that they did not require these lands at that price and in 1920, Mr. Rama Rao expressed his intention of surrendering his land in favour of his tenant Mundappa. I, therefore, recommend that sanction may be accorded for the assignment of the plots to Mundappa who has been in occupation for the last 20 years.

5. I have inspected them. They are on a much lower level than the public road and are not connected with it. This is a drawback for the land. There has not been much levelling except that at the north end the land has been cut down. In any case, the encroacher made these lands habitable by his own labour and brought them to their present state. The land is practically a house site

only, the trees on it being far too crowded to have a chance of developing into useful trees. The house is a very poor sort of house. The market value and the ground rent demanded in 1900 is inappropriate in these days when the market value of the lands has gone down considerably. Considering the petitioner's status and all the circumstances of the case, I have fixed site value at Rs. 1250/- an acre. The encroacher has paid the site value.

6. The plots are situated at a distance of two furlongs and 4 chains from the Mangalore Railway station. In view of its proximity to the Railway station, I consulted the Agent of the S.I. Rly. Administration. He has no objection to their disposal.

7. The records of this office Dis. No. 8 R/Rev. 09 Dis. No. 523 R/Rev. 14, Dis. No. 1317 D/Rev. 18, Dis. No. 156 R/rev. 20 and eye-sketch in duplicate are enclosed. At this distance of time it is impossible to decide who was to blame for allowing the matter to slide in 1918. It is also clearly unjust to evict as an encroacher a man who twenty years ago entered on a land as a tenant of a man now deceased (who held the land on lease). The condition of his house shows that no wealth has come his way during these years.

Your obedient servant,

Smadhavanda
24/1/35
Collector.

Km
24.1.35

District, South Kanara.

Eyesketch.

Village

No. 86

Taluk Mangalore

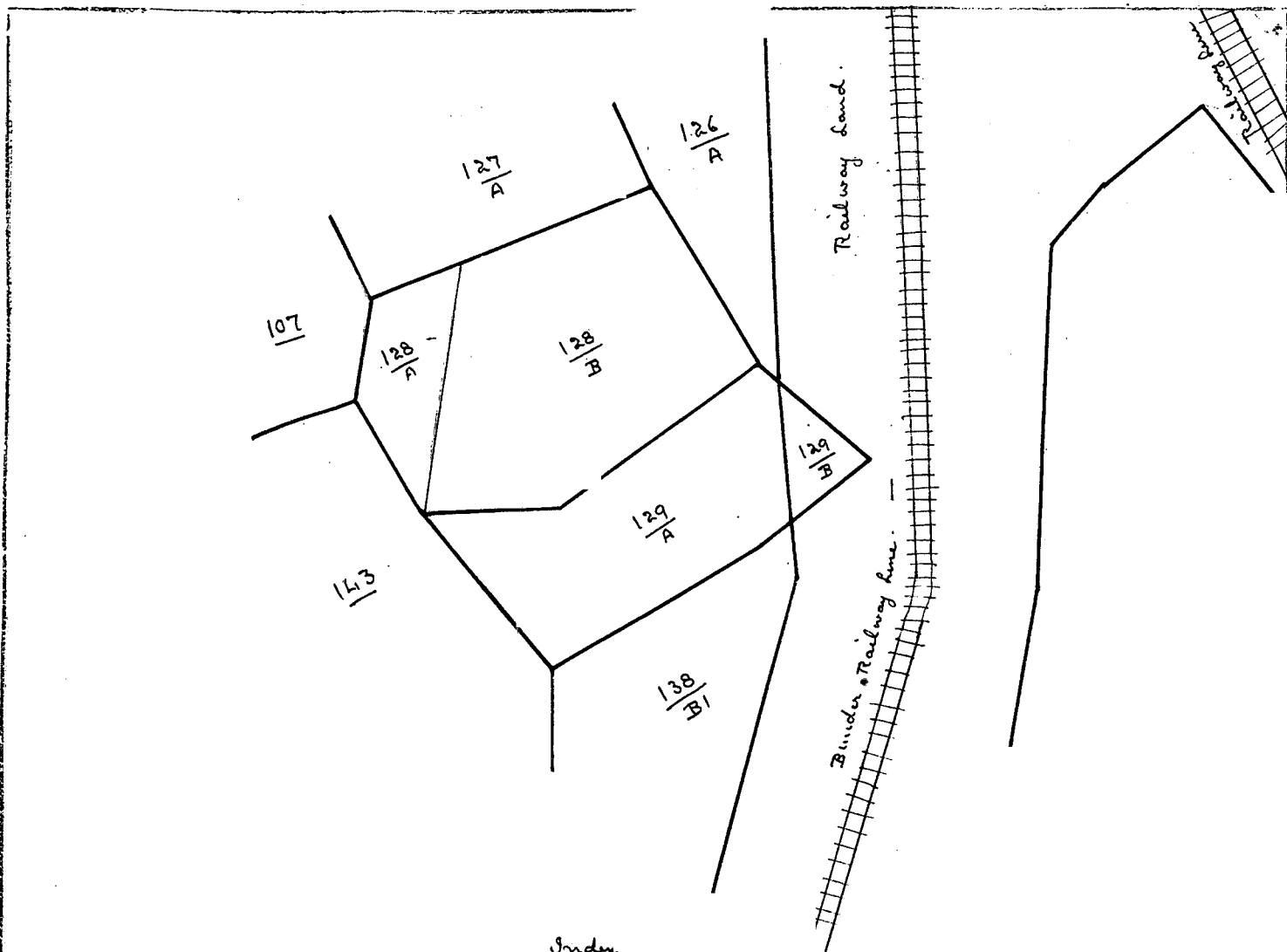
Name Attavar.

G.S. Field No. 128+129

R.S. No. 285+286.

Area 0-12635 ACRES

0-7623



Index

Particulars.

J.S.N. +
Sub division n.

128	B	}	Plot applied by Petitioner Mundappa. (Railway Relinquished land)
129	A		
125			Railway land.
138	B1		Patta land of Mr. M. Balakrishna Shetty.
143			Do ————— Do —
107			Do ————— Do —
127	A		Do — N. Rama Rao + N. Shiva Rao.
126	A		Do — Karanje Shania Rao + Rama R.
128	A		Do - Nagaveniamma garden of minor Kuppas alias Subraya + Sadananda.

Area of J.S.N.: 128-B: 0 - 22½ cants
 129-A: 0 - 17½ cants.
 0 - 40.

Phere
 21.12.34
 AK

Scale 1 inch = One Chain. 66 feet.

As. Sub-Attar
 Shanbhoga
 16.12.34.

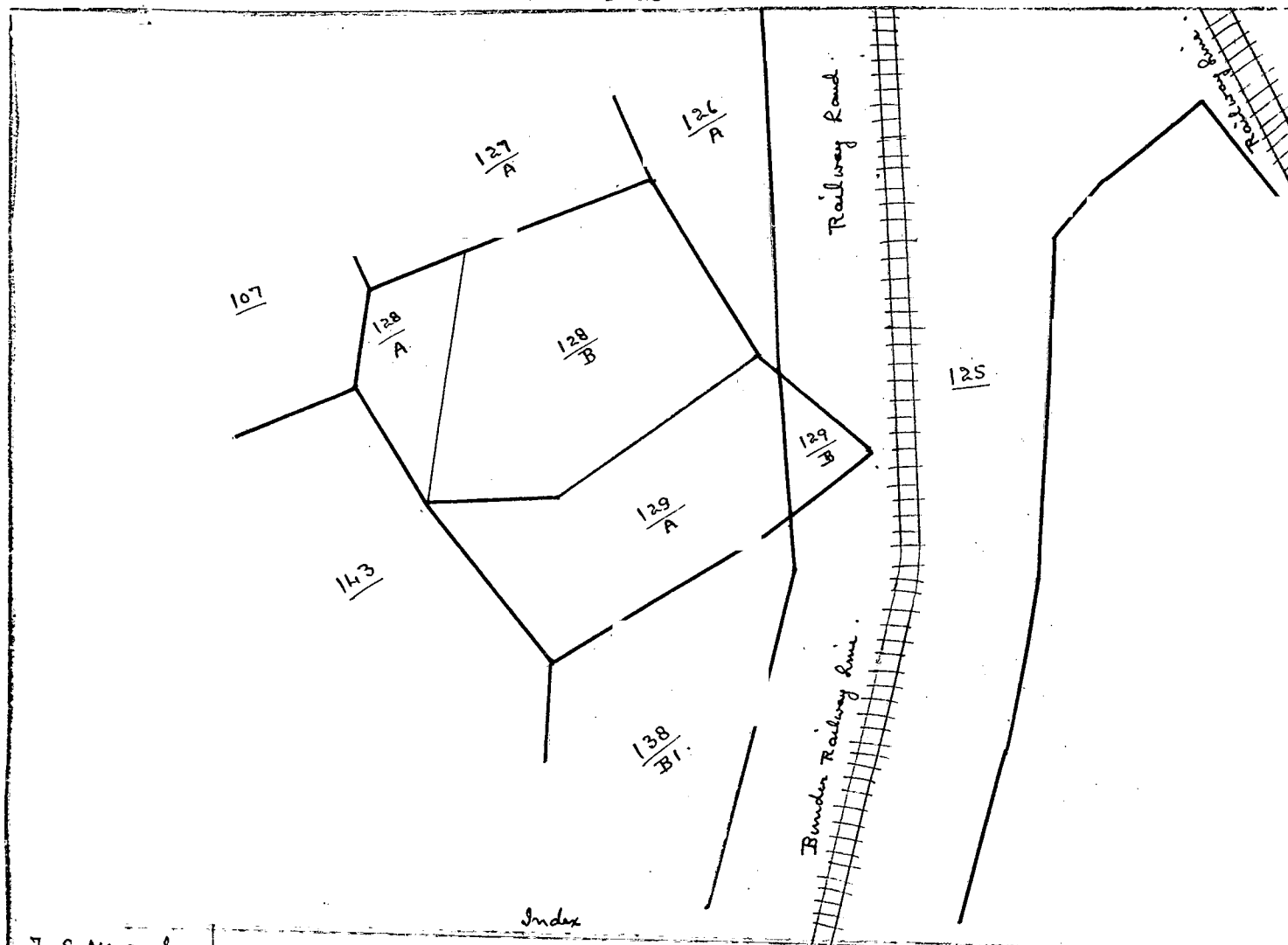
District. South Kanara.

Taluk. Mangalore

Village { No. 86
Name Attavar.

6.5 J.S. Field No. 128 + 129
R.S. No 285 + 286

Area 0 - 12633 Acres
0 - 7623



J.S.N. and Subdivision No.	Particulars.
128 B	Plot applied by Petitioner Mundappa. (Railway Relinquished Land)
129 A	
125	Railway land.
138 B1	Patta land of Mr. A. Balakrishna Shetty.
143	do — do —
107	do — do —
127 A	do - N. Rama Rao + N. Shiva Rao.
126 A	do - Karanje Shama Rao + Rama Rao.
128 A	do - Nagavenamma guardian of minor Rukma alias Subray.
Area of J.S.N: 128 - 0.0 - 22½ cuth. 129 - 0.0 - 17½ cuth. = 40.	

Attavar
2/12/34
At

Scale 1 inch = One Chain. 66 feet.

As. Sub. Att.
Shanthappa.

DRAFT FOR APPROVAL.

C.F. 16.

As (CR)

Date. Initials.

SUBJECT:-

When received for fair copying ..

When copied ..

When examined..

When signed ..

When despatched.

DESPATCHED

FEB 1935

Relinquishment (Crew)
By (S. Kanana)-
Mangalore Taluk -
Atabur Vp J S M S
128/13 + 129/1A Disposal

READ AGAIN

dated

19

READ ALSO:-

No. From the

B 634/24

No.

9

dated

14/10/35

" " " "

19

Ref B 634: 38-1

Order Ms.

Resolution Route

No.

dated

6 2/35

19

qu
125 of 7(T)

June
6/35

From the Collector's letter No 8R- Rev/09 dated 18-1-1909 to the Senior Govt Secy of Railways, Madras it is seen that the total amount of to be credited to the Railway was Rs 6992. The Collector is requested to report (i) whether this amount was credited to the Railway in 1909 or thereabouts (ii) whether all the lands which were

reimbursement shown
with J. S No 128-B
+ J. S No 129. A have
been disposed of
and if so ~~what was~~
~~done with the sale~~
~~proceeds of all the~~
~~lands as to what~~
head of accounts the sale-proceeds
~~amounts~~ were credited.

(iii) whether there are
any records to show
that the capitalised
value of the abatement
glad revenue at
the time of the acquisition
or transfer of the
lands ^(was debited to the Railway) and if so ~~what~~ the
^{defined} amount in respect of
each plot and whether
those amounts shown
not how be credited
to the Railway

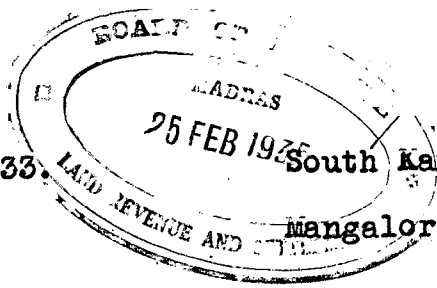
EKS
22/85
400
5/2/35

26.2.35

To
The Comr of
Revenue.

cert
2/2

Ref.C.No.A6-4359-33.



South Kanara Collector's Office,
Mangalore, 20th February 1935.

B1225

From

E. M. Gawne, Esquire, I.C.S.,

Collector of South Kanara.

To

The Secretary to the Board,

Land Revenue & Settlement,

M a d r a s.

Sir,

Relinquishment - land - Railway - Mangalore Taluk -
Attavar village - T.S.Nos.128/B and 129/A - disposal files -
return requested.

Reference:- Board's Ref.B.No.634-35-1, Land Revenue &
Settlement, dated 6th February 1935.

Please send me the records submitted along with my
letter, Ref.C.No.A6-4359-33, dated 22.1.1935 for reference.

Your obedient servant,

E. M. Gawne
Collector.

B 1225/35 @ p.m. 26/2/35
Ref B 634-35-2 of 27.2.35
The records are returned herewith

1226235

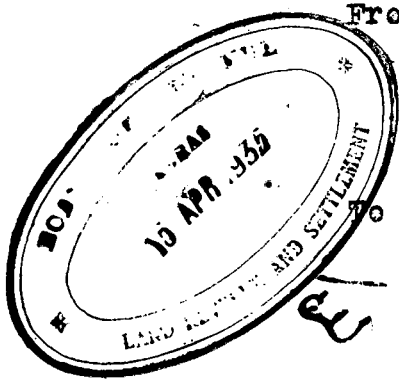
Kane

To the Secy of S. Kanara
with records ret'd (list)
1) Dis No 82/Rev of 69.7.14.09
2) Dis No 523R/Rev of 14.9.14
3) Dis No 13170/Rev of 18.7.25.18
4) Dis No 156/Rev of 18.7.25.18

RECEIVED
1-MAR-1935
25/2

Ref.C.No. A6-4359-33.

South Kanara Collector's Office,
Mangalore, dated 11th April '35.



From

E. M. Gawne, Esquire, I.C.S.,

Collector of South Kanara

The Secretary to the Board,

Land Revenue & Settlement

Madras.

Sir,

Relinquishment - land - Railway - Mangalore Taluk -

Attavar village - T.S.No.128/B & 129/A - disposal.

Ref: Board's Reference B.No.634-35-1, Land Revenue
and Settlement dated 6th February 1935. *M 9 + 20 4*

1. Point(1) in the Board's Reference.

Some of the files relating to the credit of the sale proceeds of railway relinquished lands in Attavar village have been destroyed as they were given D.Dis. numbers. From the existing files, it appears, that out of the plots mentioned in the list at sheets 40 to 46 of Dis. file 8 R/1909, the plots noted in the margin* were transferred to Road Poramboke

* S.Nos. and a sum of Rs. 105-4-3 being their estimated market value was credited to the Railway. The particulars of the survey numbers, their extent and the date of credit of the amounts are given at page 72 c.f. of D.Dis. 156 R/1920. There is no information whether the amount of Rs. 6992-12-0 was credited to the Railway in 1909, but it seems very improbable for the following reasons.

✓ 269/B1
✓ 284/B1
✓ 270/2A1
✓ 267/B2

(i) The plots noted in the margin* were allowed to

S.Nos. 319/C1 pass into private possession in 1920 by sale
297/B1
290/P² by public auction. There is no information
291

in the records as to when the sale proceeds of these plots were credited to the Railway accounts

To Supdt

Please grant by an extension of time to put up the paper here 27-4-35

Pls. please put up positively on 27-4-35
ROR 26-4-35

(ii) Again in 1928-29, some of the plots, with their notations changed, were allowed to pass into private possession by sale by public auction and some by sale by private treaty on collection of estimated market value. The sale proceeds of these plots have been credited to the Railways.

(iii) Had the Government paid for the lands in 1909 from Government funds, instead of waiting till they were taken up by private individuals, the Government would have taken steps to alter their registration instead of showing them as Railway relinquished lands.

(iv) The Collector could not have had funds to pay this amount of Rs. 6992-12-0. If the money was paid, the Collector must have obtained Board's orders in the matter and the Board would have its records.

(v) The payment by Government to the Railway in such cases would be a complete departure from the usual procedure of offering Railway relinquished lands to their respective original owners or to their heirs if the original owners are not living and if they refuse, to sell them by public auction for what they will fetch.

(vi) The sum mentioned at sheet 94 of Dis.No.8 R/1909 must be an estimate as the note at sheets 87 and 88 of the same file shows that of the original owners of the lands, there was only one who was willing to take back his lands on repayment of the original amount of compensation less 15 per cent. The Deputy Collector was asked to report the value of the acquired lands for communication to the Railway Department. This was in November 1908 and the letter at sheet 94 of Dis. No.8 R/1909 is dated January 1909. As all the intermediate correspondence and many of the subsequent files have been destroyed in the normal routine since 1909, no certain information on this point can be obtained.

(T)

(T)

2 Point (2).

13.425 acres of land were relinquished by the Railway along with T.S.Nos. 128/B and 129/A. This area included portions of channel and tank porambokes which

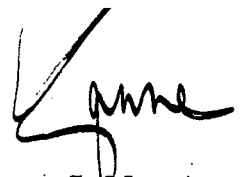
were not acquired by the Railway administration. After relinquishment, they were retransferred to their original head as they were useful for the cultivation of the adjoining lands. ^{These} ~~(these)~~ subdivisions are given in the list at sheets 40 to 46 of 8 R/09. The 4 subdivisions referred to in the reply to point (1) were transferred to Road Poramboke and their estimated market value was credited to the head of account 'Account between Madras and P.W.D. Railway Branches, Government Examiners of Railway accounts Southern India Railway and Tanjore District Board Railways'. 4 plots were sold by public auction in 1920. These subdivisions also are noted in the reply to point (1). But as the files have been destroyed, it is not possible to say when and to what head of account, the sale proceeds were credited. About the remaining plots it is not possible to identify the fields now with the list made in 1908 as the notations of the subdivisions have been altered. Many of the plots were only a few cents in extent which have now been merged once more in the fields from which they were taken. It is, therefore, not possible to locate them on the ground.

3. Point (3).

There are no records to show that the capitalised value of the abatement of land revenue at the time of the acquisition ^{or} ~~on~~ transfer of the lands was debited to the Railway.

4. The records of Dis.No. 8 R/Rev.09, dated 18-1-09, Dis. No. 523 ⁸ R/Rev.14, dated 9-9-14, Dis.No. 1317 ^X D/Rev.18 dated 7-5-18 and Dis.No. 156 R/Rev.20, dated 25-12-20 are herewith submitted.

Your obedient servant,


Collector.

DRAFT FOR APPROVAL.

O.F.16.

Date.

Initials.

SUBJECT

When received for fair copying

When copied

When examined..

When signed

When despatched.

DESPATCHED

9 MAY 1938

Relinquishment Land
Railway (S. Kanara)
Mangalore Tk. Kavar
Village TS Nos 128 B
+ 129 - A: Disposal

READ AGAIN, dated 19

READ ALSO:-

No. From the No. dated 19

No. dated 19

B2161/35 PP13, 15 19

Order No. B 634 = 35. 3 9/4.5.8

Resolution Room

16-7-35

From the Correspondence
it does not appear
that the Agent S. I. R.
Admn has been
consulted regarding
the amounts that
were adjusted to
the capital accounts
of the railway in
respect of the lands
relinquished. The
Collector is therefore
requested to address
the Agent and to
get any information
available from the records in his office

on this point and
to report whether there is any record
~~anywhere~~ ^{anywhere} to show
that the value of the
plots sold in auction
in 1928-29 was
credited to the Ry. Admin.
~~soon~~ after their disposal
and if so, ^{the} what amount credited.

Eko
ESS
60
3/5/35

23/5/35

Point (11)

TO
The Cdr of the
with records
as per list.

File
in

DEPARTMENT.

1898.

REMINDER.

Branch.

REPLY.

To THE

Secretary to the Board,
Land Revenue and Settlement,
Madras

BOARD OF

MADRAS

10 JUN 1935

LAND REVENUE AND SETTLEMENT

has the honour to inform

The undersigned is directed to invite

invites

attention to the communication noted in the margin and to request that this reminder may be returned at once with information as to—

- (1) the stage at which the matter now is,
- (2) the date by which a reply may be expected, and
- (3) the circumstances which have caused the delay.

2. It is requested that the reply to this reminder may be sent not later than 15.6.35

Office

Station

Dated

Signature.

Designation.

SUBJECT.

Chungichinai land Revenue
Mangalore Th. Alwar Vg.
T. S. No 128 B 2129 A
Disposal

The matter is under correspondence with the Agent, S. I. Ry. Coy. & Co. Trichinopoly whose reply has not yet been received. He is being reminded. Reply to the Board's ref. will be submitted immediately on receipt of the Ry. Agent's reply.

Collector

15.6.35

B 630

To AS(LR)

The collector may be
reminded again on 24 6 38
by 2635

S. 60

inc 6-85
60
2/6/35

30 ANARAC

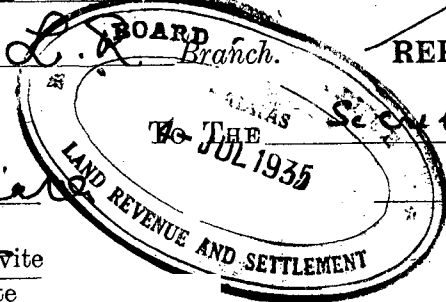
OFFICE
REMINDER.

Rev

DEPARTMENT.

189

C.F. 98.



REPLY.

To THE Collector

of South Kanara

Secretary to the Board,
Land Rev and sett,
Madras.

The undersigned ~~has the honour to invite~~
is directed to invite

invites

attention to the communication noted in the
margin and to request that
this reminder may be returned ~~at once~~ with
information as to—

- (1) the stage at which the matter now is,
- (2) the date by which a reply may be expected, and
- (3) the circumstances which have caused the delay.

2. It is requested that the reply to this
reminder may be sent not later than 4.7.35

Office Rev
Madras
Dated 25.6.35

Signature.
Supdt
Designation.
25.6.35

SUBJECT

Relinquishment of Land Ry
Mangalore Taluk. Attavar Up
T S Nos 128 D & 129. A
S. isposol

Sir,

The Agent, S. J. Ry,
Trichinopoly has been addressed
in the matter and his reply
has not yet been received.
An interim ~~reply~~ is being written to
him. Reply to the Board's
reference will be submitted
immediately on receipt of
the Agent's reply. But it ma
2/2 Collector

25.6.35

back in months, because it is
expected that the value will
be mainly in negative

✓ Anne
✓ Collin

19.6.35

To AS (R)

The collector may be removed
again on ~~14~~¹⁵ 7.38

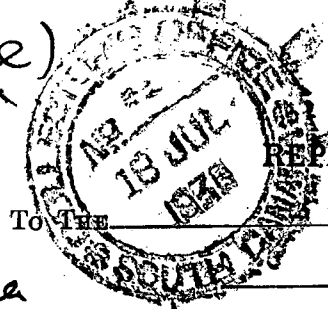
8ko

~~9-7.35~~¹⁰ 9/35

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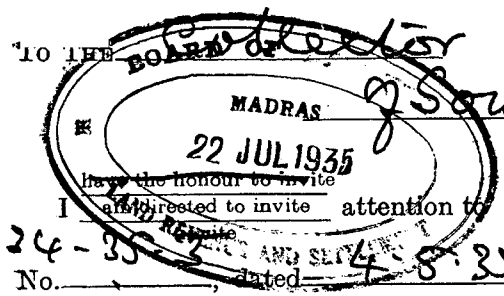
Rev L.R DEPARTMENT. 18(e) Branch.

REMINDER.



REPLY.

Secretary to the Board,
Land Rev and Sett
Madras.



MADRAS

22 JUL 1935

I have the honour to invite

attention to

South Kanara

BD's Rev

B 624-35

No. 4-8-35 dated 4-8-35 and

to request that the reply to it may be expedited
request that this reminder may be returned at once with
information as to—

- (1) the stage at which the matter now is,
- (2) the date by which a reply may be expected, and
- (3) the circumstances which have caused the delay.

Office BD & Rev
LR

Station Madras

Dated 16-7-35 (BD)

Signature. [Signature]
16/7/35

Designation.
Supdt

SUBJECT.

Reimbursement land
Ry - Mangalore TK Athavar
to ge. TS Nos 128 - 129-A
Disposal
Eko
16.7.35

submitted
p 114 of
In agent states that
the matter is with
departmental correspondence
Kumar
Colbr.

18(0)

To A S (L)

The collector may be reminded
again on 5 8 35 ✓

h 23735

2/16
23/7/35

DRAFT FOR APPROVAL.

C.F.16.

Date. Initials.

SUBJECT:—

When received for fair conying ..		
When copied ..		
When examined ..		
When signed ..		
When despatched ..		

ESTABLISHED
25 SEP 1936
W/

READ AGAIN .., dated 19 ..

" " .., dated 19 ..

READ ALSO:—

No. .. From the .., No. .., dated 19 ..

" .., dated 19 ..

" .., dated 19 ..

Ref B 634:354
Order Ms.
Resolution Rmt No. .., dated ..

23 9 19 35

The following letter
letter will be addressed
to the Agent, S. R. Ry
Aam

Sir

Relinquishment
Land. Railway (S. Kenera
Mangalore Taluk.

Attawar Village = J.S
Nos 128 B & 129-A: Disposal
and Credit of market
value

I am to say that
information is being
regarding the amounts
that were admitted

to the capital accounts
 of the South Indian
 Railway Admin in respect
 of lands in Attavar Villa
 Mangalore & K relinquished
 by the S.I. Ry in 1907 is
 required urgently in
 order to enable the Govt
 to settle the question of the
 adjustment of market
 value

2. I understand from the
 Collector of South Kanara
~~that he~~ addressed you in the
 matter in May 1935 but
 that no reply has yet been
 received even after
 6 reminders. I shall be
 obliged ^{if you} will send your
 reply to the Collector at a
 very early date.

I etc

h 23935
 For Secy

2/KO
 10875
 10875
 10875

21

DRAFT FOR APPROVAL.

	Date.	Initials.	SUBJECT:—
When received for fair copying ..			Relinquishment land Ry (S. Kanara) - Mangalore Taluk Atavar Up. JS Nos 128 B + 129 - 4. Disposal
When copied ..			
When examined ..			
When signed ..			
When despatched.			

READ AGAIN _____, dated _____, 19____

READ ALSO:—

No. _____ From the Bd Ry B634/35 of 11/12/35 dated _____, 19____

Order Ms. No. _____, dated 23 9 1935

Resolution Rout. No. _____, dated _____, 19____

The Collector is requested to submit the dis files returned to him with the Board's reference B634 = 35-2 of 27.2.35

Sd/- 18/9/35 123935

127 20/5/35

1580
14
23935

23



awne, Esquire, I.C.S.,
Collector of South Kanara.

The Secretary to the Board,
Land Revenue and Settlement,
M a n g a l o r e.

Sir,

Relinquishment - Land - Railway - South Kanara -
Mangalore Taluk - Attavar village - T.S.Nos. 128/B and 129/A
Records submitted.

Board's Refce. No. B. 634-35-5, Land Revenue and
Settlement, dated 23-9-35.

The disposal files noted in the*margin are herewith

No. and date of the disposal files.

- | | |
|---|---|
| 1.Dis.No. 8 R/Rev. of '09, dated 18-1-09. |) |
| 2.Dis.No. 523 R/Rev. of '14, dated 9-9-14. ✓ |) |
| 3.Dis.No. 1317 D/Rev. of '18, dated 7-5-18. ✓ |) |
| 4.Dis.No. 156 R/Rev.-20, dated 25-12-20. ✓ |) |
| ----- |) |

submitted.

Your obedient servant

Collector.

Recd
30 9.35

SOUTH INDIAN RAILWAY Co., LD.

(Incorporated in England)

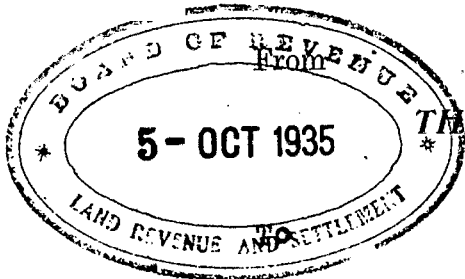
AGENT'S OFFICE,

In your reply, please
give reference to :—

Trichinopoly, 3rd October, 1935.

135745

No. A.C.1115/62/156.



THE AGENT,

South Indian Railway.

The Secretary, Board of Revenue,

Land Revenue and Settlement,

M a d r a s.

Dear Sir,

Land - Relinquishment of - South Canara
District - Mangalore Taluk.

pp 19/20 cf

With reference to your letter No.B.634-35-4 dated the 23rd September 1935, I have to inform you that as the relinquishment proceedings in respect of the land referred to relate to the year 1907, records showing the particulars as to credit etc. have to be traced and information furnished to the Collector of South Canara as desired by him.

2. The Chief Engineer has been instructed to expedite matters and I shall advise you further as early as possible.

Yours faithfully.

[Handwritten signature]

/ Agent.

Copy forwarded to the Collector of South Canara, ^{Mangalore} for information with reference to his letter No.A.6-4359-33 dated the 23rd May 1935.

V.N.

HS (CA)

29

DRAFT FOR APPROVAL.

	Date.	Initials.	SUBJECT:—
When received for fair copying ..			Relinquishment Land
When copied ..			Ry. (S. Kanara)
When examined ..			Mangalore & Anwar
When signed ..			28 SNOS 128: B +
When despatched.			129-A

7 11:30 AM 7/10/35, dated 1935
Bd's Ry A 674, 35-40/23 9-35 1935

READ ALSO:—

No. From the B 5662/35, No. 1, dated 12/3 1935
" " " 3045/35 " 1, " 1/25 1935

4 B 6845-35 "6
Order Ms. 7/10/35
Resolution Rout. No. 76, dated 1935

The collector is requested to submit a further report on receipt of a reply from the Chief Engineer; South Indian Railway

To
The Comr of S. Kanara
Eko 7/10/35
7/10/35

South Kanara Collector's Office,

Camp: Coondapur, dated 2nd November 1935.



To

The Secretary to the Board,

Land Revenue & Settlement,

M a d r a s.

S i r,

Relinquishment--land--Railway--(South Kanara)--Mangalore Taluk--
Attavar village--T.S.Nos. 128/B and 129/A--disposal.

Ref:- Board's Ref. B. No. 634-35-3, Land Revenue & Settlement
dated 4th May 1935.

1. The Chief Engineer, S.I.Railway, Trichinopoly has furnished the following information regarding the credit of the value of the lands relinquished in Attavar village to the Railway Accounts.

(1) that a sum of Rs.1733 which was realised by the sale of 4 plots in Attavar village was credited to the Railway through the Accountant General, Madras, Exchange accounts for January 1921.

(2) that a sum of Rs.105-4-3 realised by the sale of 4 other plots was credited to the Railway through the Accountant General Madras, Exchange Accounts for October 1920.

(3) that a sum of Rs. 9925-12-0 realised by the sale of 43 plots was credited to the Railway through the Accountant General, Madras, Exchange accounts for 1928-29 and 1929-30.

He has also sent two rendition plans in which particulars of the Survey Nos. relinquished have not been noted and he is not sure in which of these two plans the lands in respect of which the above amounts were credited are comprised. He has also requested me to reconcile the S. Nos. with the lands shown in these plans and to furnish him with a list of S. Nos. and their extent comprised in

each plan.

5. After waiting for five months, the information furnished by the Chief Engineer does not take us any further. The amounts dealt with by him in his letter have all been mentioned in my letter to the Railway Agent.

(1) Rs.1738-0-0 represent the bid amount of 4 plots sold by public auction on 16.8.20. The S. Nos. and the bid amount of each plot are given in the margin. Please see pages 41 to 43 c.f. of Dis.No.

<u>S. Nos.</u>	<u>Bid amount.</u>
319/C1	Rs. 171 0 0 ✓
297/E1	" 1151 0 0 ✓
290/E3	" 350 0 0 ✓
291	" 61 0 0 ✓
Total Rs.	1738 0 0

156 R/Mex. 20 of this office already sub-

mitted to the Board in this office Ref.

C. No. A6-4852--18 dated 27th September,

1925

(2) Rs.105-4-3 represent the esti-
mated market value of the four plots

named in the margin which were transferred

to Road Forework. Please see page 21 c.f.

of this office file Dis. No. 156 R/Mex. 20,
dated 25th December 1920.

(3) Rs.2225-12-0 represent the value of
43 plots mentioned in the list at pages
83 and 84 c.f. of this office Dis. file
4752/28, dated 16th June 1922 which is herewith

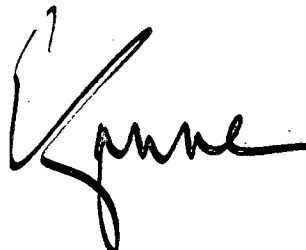
submitted.

6. But the main question about the credit of the value to the Railway in respect of T. S. Nos. 128/B and 129/A has remained unanswered. The Chief Engineer has neither been able to find out whether credits for these lands have been made to the Railway nor has he been able to locate in which rendition plan they are comprised. I do not see how it will help to mark or list plans the S. Nos. for which credits have been given to the Railway. The question is not which lands have been relinquished but it is for which of the relinquished lands, the value has been credited to the Railway. The fact that T. S. Nos. 128/B and 129/A find place in Rendition plan No. 49/F--as they seem to do--is neither

here nor there because the entry of the plots in the rendition plan is no proof that their value has been credited to the Railway. It would be a hopeless task to try and overwrite on the railway blueprints, already full of lines and figures, other revenue entries at this distance of time when the notations of most of the fields have been changed and many of the petty sub-divisions have been merged in the fields from which they were taken.

4. The Railway Agent has been able to confirm that the amount of Rs.1733-0-0 was credited to the Railway in 1920. When it is found that where there are definite figures for lands disposed of under the rendition plans, the amounts have been credited to the Railway accounts, it may be concluded that where there is no information, no value for lands has been credited. It is clear that the Chief Engineer has been unable to find any files about amounts credited which were not found out in my office. It can therefore be safely presumed that the value of the two plots in question has never been credited to the Railway. This is the more likely as the records show that the value of the lands has not been paid by a private party all these years; there was therefore nothing to credit.

Your obedient servant,

A handwritten signature in dark ink, appearing to read 'L. J. G. S.', written in a cursive style.

Collector.

DRAFT FOR APPROVAL 33

C.F. 16.

Date. Initials.

SUBJECT:—

When received for fair copying ..

When copied ..

When examined ..

When signed ..

When despatched.

Relinquishment land
Ry (S Kanara) -
Mangalore Taluk
Attavar Village J.S. Nos
128-B & 129-A Sale

READ AGAIN, dated same nos. passed

READ ALSO:—

No. B 634/35 From the Q, dated 16/6/1935

" B 1225/35 " Q " 11/6/1935

" B 2161/35 " Q " 16/12/1935

" B 6382/35 " Q " 16/12/35

Order Ms. No. 4459, dated 21 11 19 35
Resolution Rept.

In the circumstances reported by the collector, the Board has no objection to the sale of J. S. Nos 128-B and 129-A of Attavar Village, Mangalore measuring 9801 88/100 feet and 7623 88/100 feet respectively to Undappa who has been in the occupation of the plots for the last 20 years subject to the payment of market value at

1250/-

Rs. ~~1250/-~~ an acre

SK

11.35

154

2011.35

12

2011.35

✓

The Cont of SKanna
with enclo nts
as per list

(i) Dis No 5232/Rev/14 of 9.4/14

(ii) Dis No 13170 Rev/18 of 7.5/18

(iii) Dis No 8R/Rev of 17.0.07

(iv) Dis No 452-28 of 16.6.4

(v) Dis No 156 R Rev of 11.10.20

SOUTH INDIAN RAILWAY Co., Ltd

(Incorporated in England)

136853

In your reply, please
give reference to :—

AGENT'S OFFICE,

Trichinopoly, 27th November, 1935.

No. A.C.1115/62/156.

From
28 NOV 1935

THE AGENT

South Indian Railway.

To

The Collector of

South Kanara District.

M a n g a l o r e.

Dear Sir

Relinquishment - Land - Railway
Mangalore Taluk - Attavar village
Land plan No.49.P - Credit for.

In view of what is stated in your letter No.C.A.6-4359/33 dated the 2nd November 1935 to my Chief Engineer, I have to inform you that no further action is taken by me on your letter No.C.A.6-4359-33 dated the 23rd May 1935.

Yours faithfully,

Sd. C.H. Newton
for Agent.

Copy forwarded to the Secretary, Board of Revenue, Land Revenue and Settlement, Madras for information with reference to this office letter No.A.C.1115/62/156 of 3rd October 1935. In this connection a copy of my ~~the~~ Chief Engineer's letter to the Collector and his reply thereto are enclosed.

Encls.2.

Sd. Newton
Agent.

ms 27.11.35

South Indian Railway Co., Ltd.

(Incorporated in England)

Copy of letter, No. ~~S.A. 4359/33~~ ^{A.66} dated 2--11--1935
from the Collector of South Kanara
to the Chief Engineer, Trichinopoly

Relinquishment - land - Railways - Mangalore Taluk
Attavar Village T.S.Nos. 128/B and 129/A
Rendition plans, reconciliation of S.Nos.
Your letter No. L.29/68/4/L dated 17--10--1935.

I regret that I am not in a position to elaborate the maps
in the way that you wish and that in any case it does not appear
that any map entries will assist us in the present case.

South Indian Railway Co., Ltd.

(Incorporated in England)

Copy of letter No.L.29/68/4/L dated 17th October 1935
from the C.E., S.I.Ry.
to the Collector of South Canara, Mangalore.

Land - Railway - Relinquishment of - Attawar village
Mangalore Town - South Kanara.
Your letter No.A.6/4359-33 of 23--5--35 to the Agent
of this Administration.

I have the honour to inform you that the sum of Rs.1733-0-0 which was realised by the sale of 4 plots in Attawar village was credited to the Railway through the Accountant General, Madras Exchange Accounts for January 1921 and the sum of Rs.105-4-3 realised by the sale of 4 other plots was credited to the Railway through the Accountant General, Madras, Exchange Accounts for October 1920. The sum of Rs.9925-12-0 realised by the sale of 43 plots was credited to the Railway through the Accountant General, Madras, Exchange Accounts for 1923-29 and 1929-30.

2. In Attawar village, an extent of 1.74 acres was also relinquished as per plan No.554/1913. As particulars of survey numbers and extents are not given either on plan No.49/P or on plan No.L.554/1913, it is not possible to say whether the credits mentioned above relate to plan No.49/P or L.554/1913. It is not also known in which of these two plans T.S.Nos.128B and 129 A are comprised.

3. I enclose copies of these two plans and shall be glad if you will kindly arrange to reconcile the survey numbers with the lands shown on these plans and let me have a list with particulars, of survey numbers and extents comprised in each plan.

Not File

Relinquishment Case
Ry (S Kanara). Mangalore
Taluk. Attavar Village.
J. S. Nos 128. B and 129. A
Disposal

B 634/35 pp 104 CF

B 2161/35 pp 136 154.

To A.S. (L.R.)

Please see the Collector's
letter at pp 104 CF, the Board's
reference at pp 9 to CF and
the Collector's reply at
pp 13 to 15 CF

2 An extent of 13.425
acres of land in Attavar
Village, Mangalore TK was
relinquished by the Railway
Authority in 1908 as it was not
required for its use either then
or the future when they
were offered to the original
owners ^(except one individual) no one was willing to
to take back the lands
on payment of the original
cost of acquisition less 15%
solatium Subsequently

ps 7(a) of 7

The Collector in his order
at pp 92 & 93 of 9(T) issued
instructions that the lands
should be shown in the Prohibitory
order book and reserved as
govt waste, that such of
the land which were ^{channel} pambakes
before they were made over
to the Ry should be transferred
to the original head and that
the rest should be leased
out by auction for a period
of 5 years subject to the condition that no
buildings should be erected on them

p 92 (a) at (T)

2 Before the disposal of
the 2 plots referred to in the
Collector's letter at pp 110 & 111
is taken up, the question as
to whether the Ry Admin has
~~been~~ ^{been} credited ~~with~~ ^{with}
the value in respect of all
the land relinquished by
it should be settled. The
amount that ought to have
been credited to the Railway in 1908
worked out to Rs 6992-12-0-
Vide the letter at p 94 of (T)
It has to be noted in this

connection that in the area of 1.3 & 25 acres were included portions of channel and bank & embankments which were not paid for by Ry but which were transferred to the original head as stated above.

2. The land which was fit for disposal could have been sold in auction and the sale proceeds credited to the Ry. Evidently this was not done but the land were leased out which

resulted in unauthorised construction of buildings contrary to the conditions of the lease. Only in the cases of

~~was credit given to respect~~
~~of road & embankment and of~~
~~in respect of the land referred~~
to the Ry
S. No. 101 & 102
plots sold in auction 1/29, 28-29

para 14 of to in subpara (ii) of para 1 of the Collector's letter. The Collector has stated that there is no information whether the sale proceeds of all the land have been credited to the Ry Admin

or not it would be for letters
if the Agent S. V. R. H. H. H.
is consulted as to whether there
are any records in his office
to show that credit was
given to the Railway for
all the lands relinquished by
it. The Collector may be requested
to address the Agent and get
any information available in
the records of his office.

For orders. He may also be requested
to report the amount credited to
Railway Company in respect
of the 4 lots sold in auction in
1928-29.

10R
29-4-3

To AS (LR)

Draft Subd

SKH

2.5.35
62
3/5/35

12215735

To Secretary

See reminder No I is Subd

P.C. found by Eng

THK.

RECEIVED
8-AUG-1935

S

Rs 400
15-8-35

South Kanara Collector's Office,

Camp: Mudabidri, dated 12th August 35.



Hydram Wotake

Relinquishment--land--Railway--Mangalore Taluk--
Attavar village--T.S.Nos, 128/B and 129/1A--Dis-
posal.

Ref Board's ref. No.B-634-35-3 Land Revenue
and Settlement dated 4th May 1935. pp 17+18 g

Your D. O. Reminder No. 1, dated 7th August
1935. h4NF

The matter is pending with the Agent, S.I.
Railway, Trichinopoly. His reply to this office
letter Ref. C. No.A6-4359-33, dated 23rd May
1935 has not yet been received inspite of the
issue of 5 reminders To the last reminder dated
3rd August 1935, the Agent has replied that this
office letter is receiving his attention and that a
reply will be sent as soon as possible. I do not see

--2--

what more can be done.

Yours sincerely
K. J. S. S.

To

A.R.C. Westlake, Esq,
I.C.S.,
Secretary to the Board,
Land Revenue & Settlement,
M a d r a s.

AS(UR)

To AS(UR)

Filed

2 The collector may be reminded
again on 2.9.35 ✓

Eko

12/6/85

158.35
62
157.735

6

To Secretary

Do remainder No II

As $\frac{S}{\text{Trunk}}$

is subd

Enko

39.35104
39.351

Fc passed by Sy

2
4.9.

DESP. 100
24-SEP 1936

C. No. 4359-33-A-6.

South Kanara Collector's Office

Mangalore, dated 7th September 1935.

H. M. K. K. K.

Relinquishment--land--Railway--Mangalore Taluk--Attavar village--

T. S. Nos. 128/B and 129/A--Disposal.

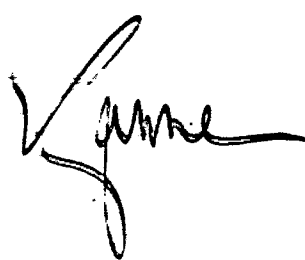
Ref:- Board's ref. B. No. 634-35-3 L. R. & Settlement, dated 4th 1935.

Your M C reminder No II dated 4th September 1935. *15/9/35*

On receipt of the Board's reference quoted above, I addressed the Agent, S. L. Railway, Trichinopoly to furnish any information available in his office as to the amounts that were adjusted to the capital accounts of the Railway in respect of the lands in Attavar village relinquished by the Railway Co. in 1907. Though 6 reminders were issued the Agent's reply has not yet been received. The Railway Engineer Cannanore to whom I spoke personally some days back about this matter told me that the information required could not be found out easily as the records relating to the old acquisitions were in a muddle. If the Board wants an assurance from the Railway Agent that the amounts in respect of the lands relinquished have not been adjusted to the capital accounts of the Railway, I think, the Board would in all probability have to wait for several months yet.

2. The information required by the Board regarding the credit of the value of the 4 plots sold in 1928-29 to the Railway Administration is available in my office. The S. Nos. of the plots sold, the amount of sale proceeds and the date of credit to the Railway accounts are given in the following table:-

S. No.	Amount fetched at the sale.	Challan No. and date of credit to the Railway account.
125/B ...	Rs. 110	Rs. 420-8-0 's per Challan No 1102/25.5.29
121/B1 ...	400	
112/B2 ...	40	
115/C ...	70	
	-----	" 93-8-0 " 221/5.3.29
	620	" 93-0-0 on 11.3.29
	-----	" 920 0 0

Yours sincerely


To

A.R.C. Westlake, Esq., I.
 Secretary to the For
 Lord Revenue & Spt
Madras

AS(GR)

To A S(GR)

Drawn letter to the Agent S I. Ry
 and a reference to the Cmt. are sent for approval

SKO
 18985
 R.G.
 20955

1/2
 22935

11
AS (CR)

PP 17 & 18 of LB 634-35-2 dated 4-5-1935

pp 29 to 31 of

B6382/35

To AS (CR)

1) 3567M of 19.9.35 (B)

2) 3941M of 16.10.35 (A)

Please see the Board's
reference at p 9 & 10 of the
Collectors reports at pp 13 & 15 of
and pp 29 to 31 of

In the circumstances
reported by the collector
the Board may inform him
that it has no objection to
the sale of 7 8 Acre 12 a - B
and 12 8 - A 2 Awar

para 4 p 3 of
concluding sentence

Village to M. Indappa
who has been in the occupation
of the plots for the last 20 years
on payment of market
value at Rs 12 50/- an
acre [Vide ^{for purchase} para 4 of the note
at pp 4 & 5 NF of (B) and also
p (NEO) (A)] For orders

para 5 p 4 of
concluding sentence

SK

25/11/35

12.11.35

26/11/35

M1

18/11/35

To As (CA)

Draft Subd

As (CA)

2K0
 19/135
 154
 201135-

12
 201135